IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION NO. 506 OF 2002

IN

COMPANY PETITION NO. 748 OF 2001

In the matter of Companies Act, 1956.

M/s. Gas Equipment Manufacturing Co. .. Petitioner

vs.

M/s. Hindustan Domestice Tata Finance Ltd. .. Respondents.

Mr. S.H. Patel for petitioner.

Mr. B.B. Parekh for respondent.

..

CORAM : S.U. KAMDAR, J.

DATE : 4th February, 2005.

P.C.

1. The learned Advocate for the respondent company states that the company is already declared sick undertaking under the Sick Industrial Companies (Special Provisions Act, 1985. He also assures the Court that he will submit a copy of the letter

registering the reference to the petitioner within a period of one week from today and the same shall be filed in Court. In view of the aforesaid, the learned counsel for the petitioner seeks leave to withdraw the application with permission to take out appropriate application as and when the company comes out of BIFR proceedings. With the aforesaid liberty, the application is dismissed. Company Petition No. 748 of 2001 is is adjourned since die at this stage. The learned counsel for the respondent is directed to informed the petition within 15 days from today the present status of the BIFR proceedings. The learned counsel for the respondent company is also directed to continue to inform the office of the Registrar of Companies every six months the status of the BIFR proceedings and in the event if such proceedings are rejected by the BIFR then communication of such order should be effected by the learned counsel for the respondent within 15 days from the passing of such an order.

2. C.C. expedited.